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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,582	08/23/2001	Doreen D. Jiang	782.1115	7884

21171 7590 01/25/2006

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EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/934,582	Applicant(s) JIANG ET AL	
	Examiner Jean M. Corrielus	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed on November 2, 2005, in which claims 1-27 are presented for further examination.

Response to Arguments

2. Applicant's arguments filed on November 2, 2005 have been fully considered but they are not persuasive. (See examiner remark).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2162

5. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett et al, (hereinafter "Pickett") US Patent No. 6,498,791 and Patel et al., (hereinafter "Patel") US Patent no. 6,681,257.

As to claim 1, Pickett discloses a system that allow a broad set of services and functions to co-exist in the same system, and leveraging shared resources while providing a high level interface and intelligence that allows for the shared resources to be dynamically allocated. In particular, Pickett discloses the claimed "generating an update request in response to an event that changes subscriber information in a subscriber database messaging system" (col. 17, lines 34-53); and "when the update request is generated, automatically updating corresponding subscriber information in the shared central subscriber directory based on the update request" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5). Pickett does not explicitly disclose the use of different autonomous telephony messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col. 2, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination in order to provide Pickett' system the enhanced capability of allowing routing information to be obtained regarding the subscribers of the messaging systems.

As to claim 7, Pickett discloses a system that allow a broad set of services and functions to co-exist in the same system, and leveraging shared resources while providing a high level interface and intelligence that allows for the shared resources to be dynamically allocated. In particular,

Art Unit: 2162

Pickett discloses the claimed "generating an update request for updating the shared subscriber directory server when one of subscriber actions and administrator actions update subscriber information in the voice messaging system" (col. 17, lines 34-53); "appending the update request to a queue managed by an update server and in a same order as one of corresponding subscriber actions and corresponding administrator actions occur; reading the update requests, from the queue on a first-in first-out basis" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5); "reading the update from the queue on a first in first out basis" (col. 17, lines 34-53, col. 17, lines 57-col. 18, line 5, col. 18, lines 35); "sending the update requests to the shared Subscriber directory server" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35); and "updating the shared subscriber directory server in real-time based on the update request, whereby the updated subscriber information becomes accessible by the message system to route subscriber messages" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35). Pickett does not explicitly disclose the use of different autonomous telephony messaging systems. On the other hand, Patel discloses a computer-implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col. 2, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the art would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform.

Art Unit: 2162

As to claim 2, Pickett discloses the claimed “storing the update event at an intermediate server while maintaining synchronicity between the update event and the local messaging system” (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35).

As to claim 3, Pickett discloses the claimed “wherein said generating occurs only when information changed in the message box has corresponding information in the shared central subscriber directory” (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35).

As to claim 4, Pickett discloses the claimed “sending the update request from the intermediate server to a proxy client that in turn sends the update request to the shared central subscriber director” (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col. 42, lines 45-63; col. 43, lines 47-65; col. 44, lines 20-65; col. 46, lines 48-62; col. 48, lines 13-50; col. 53, lines 5-45; col. 60, lines 40-53).

As to claim 5, Pickett discloses the claimed “wherein said generating and updating is performed by a plurality of messaging systems that also access the shared central subscriber directory” (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col. 42, lines 45-63).

As to claim 6, Pickett discloses the claimed “wherein said generating is responsive to a change to a message box initiated by a subscriber telephone call” (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col. 42, lines 45-63).

Art Unit: 2162

As to claim 8, Pickett discloses the claimed "refreshing subscriber information in the update requests, after said reading and before said sending, in accordance with current corresponding subscriber information in the voice messaging system, when the update requests are one of expired and in a queue not primarily associated with the voice messaging system having the subscriber information" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col.42, lines 45-63; col.43, lines 47-65; col.44, lines 20-65; 46, lines 48-62; col.48, lines 13-50; col.53, lines 5-45; col.60, lines 40-53).

As to claim 9, Pickett discloses the claimed "wherein said appending, reading, sending and refreshing are performed by an intermediate server managing the queue, and said generating occurs at one of an application process, an administrative utility, and a bulk data upload utility" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col.42, lines 45-63; col.43, lines 47-65; col.44, lines 20-65; col.46, lines 48-62; col.48, lines 13-50; col.60, lines 40-53).

As to claim 10, Pickett discloses "wherein the bulk data upload utility generates update requests for one of ranges of message boxes in the voice messaging system, all message boxes in the voice messaging system, and ranges of message boxes in the voice messaging system" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col.42, lines 45-63; col.43, lines 47-65, col.44, lines 20-65; col.46, lines 48-62; col.48, lines 13-50; col.53, lines 5-45).

Art Unit: 2162

As to claim 12, Pickett discloses the claimed "wherein the subscriber directory resides in a remote, foreign addressing domain and is shared by messaging systems from different vendors" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35).

As to claim 13, Pickett discloses the claimed "appending the update request to a queue of a second art update server when a primary update server is unavailable" col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35; col. 42, lines 45-63; col. 43, lines 47-65; col. 44, lines 20-65; col. 46, lines 48-62; col. 48, lines 13-50).

As to claim 14, Pickett discloses the claimed "reading from a second update server the update requests in the queue responsive to a failure impairing the update server" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35).

As to claim 15, Pickett discloses the claimed "wherein the subscriber action comprises a telephone call that updates the message box of the subscriber". (Col. 7, lines 40-col. 8, line 64).

As to claim 16, Pickett discloses the claimed "wherein one of subscriber actions and administrator actions comprises one of creating a message box, deleting a message box, modifying a message box, suspending a message box, reinstating a message box, reinitializing a message box, and migrating a message box from a first voice messaging system to a second

Art Unit: 2162

voice messaging system" (col.17, lines 34-53; col. 17, lines 57-col.18, line 5; col. 18, lines 35; col.42, lines 45-63; col.43, lines 47-65; col.44, lines 20-65).

As to claim 17, Pickett discloses the claimed "wherein said generating is triggered in an application corresponding to one of the subscriber action and the administrator action" (col.17, lines 34-53; col.17, lines 57-col. 18, line 5,. col. 18, lines 35,. col.42, lines 45-63).

As to claim 18, Pickett discloses the claimed "wherein the application corresponding to one of the subscriber action and the administrator action resumes processing immediately after said generating" (col.17, lines 34-53; col.17, lines 57-col.18, line 5; col. 18, lines 35).

As to claim 19, Pickett discloses the claimed "wherein said generating is responsive to a change to a message box initiated by a subscriber telephone call" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5).

As to claims 20-21, Pickett discloses the claimed "determining whether name announcements are attributes of subscriber information that are updated on the shared directory server" (col. 17, lines 34-53, col. 17, lines 57-col. 18, line 5; col.18, line 35).

As to claim 23, Pickett discloses the claimed "automatically updating a subscriber directory used to route subscriber messages and comprising number field, a local access and transport area identifier field, network routing address routing address field, and a presentation address field" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col.60, lines 55-65; col.61, lines 1-17;

Art Unit: 2162

col.62, lines 2-20; col.64, lines 27-45; fig.42). However, Pickett does not explicitly having subscriber messages across different autonomous telephony voice messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col.2, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform

As to claim 26, Pickett discloses the claimed "generating an update request responsive to a subscriber information change event in any of plural subscriber information database of respective autonomous voice message systems, and updating a shared centralized subscriber directory used by the messaging systems to route subscriber messages among the plural message system" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col.60, lines 55-65; col.61, lines 1-17; col.62, lines 2-20; col.64, lines 27-45; fig.42). However, Pickett does not explicitly having subscriber messages across different autonomous telephony voice messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col.2, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to

Art Unit: 2162

combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform

As to claim 24, Pickett discloses a system that allow a broad set of services and functions to co-exist in the same system, and leveraging shared resources while providing a high level interface and intelligence that allows for the shared resources to be dynamically allocated. In particular, Pickett discloses the claimed "generating an update request in response to an event that changes subscriber information in a subscriber database messaging system" (col. 17, lines 34-53); and "when the update request is generated, automatically updating corresponding subscriber information in the shared central subscriber directory based on the update request" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5). Pickett does not explicitly disclose the use of different autonomous telephony messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col. 1, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the

Art Unit: 2162

subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform

As to claim 25, Pickett discloses a system that allow a broad set of services and functions to co-exist in the same system, and leveraging shared resources while providing a high level interface and intelligence that allows for the shared resources to be dynamically allocated. In particular, Pickett discloses the claimed "generating an update request in response to an event that changes subscriber information in a subscriber database messaging system" (col. 17, lines 34-53); and "when the update request is generated, automatically updating corresponding subscriber information in the shared central subscriber directory based on the update request" (col. 17, lines 34-53; col. 17, lines 57- col. 18, line 5). Pickett does not explicitly disclose the use of different autonomous telephony messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col.2, lines 50-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform

Art Unit: 2162

As to claim 27:

The limitations of claim 27 have been noted in the rejection of claim 1-10 and 12-21 above. It is, therefore, rejected under the same rationale.

As to claims 11 and 22, Pickett discloses a system that allow a broad set of services and functions to co-exist in the same system, and leveraging shared resources while providing a high level interface and intelligence that allows for the shared resources to be dynamically allocated. In particular, Pickett discloses the claimed "generating an update request for updating the shared subscriber directory server when one of subscriber actions and administrator actions update subscriber information in the voice messaging system" (col. 17, lines 34-53); "appending the update request to a queue managed by an update server and in a same order as one of corresponding subscriber actions and corresponding administrator actions occur; reading the update requests, from the queue on a first-in first-out basis" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5); "sending the update requests to the shared Subscriber directory server" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5; col. 18, lines 35); and "updating the shared subscriber directory server in real-time based on the update request, whereby the updated subscriber information becomes accessible by the message system to route subscriber messages" (col. 17, lines 34-53; col. 17, lines 57-col. 18, line 5). Pickett does not explicitly disclose the use of different autonomous telephony messaging systems. On the other hand, Patel discloses a computer implemented method for providing information for a routing of messages between or among messaging platforms in a messaging system by moving messaging platform to different messaging platform (col. 2, lines 50-60). Patel also discloses a server directory that uses

Art Unit: 2162

Lightweight directory access protocol (col.7, lines 60-61 and col.8, lines 1-8). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because one having ordinary skill in the would have found it motivated to utilize such a combination for the purpose of allowing routing information to be obtained regarding the subscribers of the messaging systems, thereby routing subscriber messages correctly and efficiently to different messaging platform.

Remark

6. Applicant asserted that neither Pickett nor Patel teaches or suggests different autonomous voice messaging systems. The examiner disagrees with the precedent assertion. However, when read and analyzed in the light of the specification, the invention as claimed does not support applicants' assertion. Moreover, the claims do not capture the essence of the invention as argued in applicants' remark page 8. It is important to note that applicants are interpreting the claims very narrow without considering the broad teachings of the reference used in the rejection. In the last office action, the examiner went through the claims phrase by phrase and referred to the prior art column and line number as to where he has drawn the correspondences between applicants' claims phrases and prior art. Consequently, Applicant has failed to successfully rebut the rejection of the cited claims. It has also been held that Applicant bears the burden of explaining why the evidence on which the Examiner relies is insufficient to establish a prima facie case or demonstrating that Applicant has provided evidence, which rebuts the prima facie case. See *In re Rouffet*, 149 F.3d 1350, 1355 47 USPQ2d 1453, 1455 (Fed. Cir. 1998). It is respectfully submitted that Patel is related to messaging systems to obtain and provide

Art Unit: 2162

information for a routing of messages between or among messaging platforms in a messaging system operating independently from each other. In particular, Patel has a network element that keeps track of and provide information as to which directory in the messaging system is to be consulted to obtain an indicator for a message platform serving a calling line number. The region-wide messaging system as disclosed by Patel allows subscriber to the messaging system within the region of the service provider to send, receive, forward and reply to messages including voice mail messages. Patel recognized the assignment to messaging platforms may change in efforts to load balance the overall Region wide messaging system, wherein a subscriber's mailbox may be moved from a messaging platform to a different messaging platform operate independently from each other but sharing resource to each other. So it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Pickett's system by updating a subscriber directory used to route subscriber messages across different autonomous telephony voice messaging systems by having the subscriber in the directory to reflect the change in messaging platform address so that messages for the subscriber are routed correctly and efficiently to the different messaging platform (col.2, lines 45-60).

Applicants are reminded that the examiner is entitled to the broadest reasonable interpretation of the claims. The Applicants always have the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater 162 USPQ 541, 550-51 (CCPA 1969). Therefore, Pickett and Patel substantially disclose the invention as claimed.

Art Unit: 2162

Thus, for the above reasons, it is believed that the rejection under 35 U.S.C. 103 provides substantial evidence to support the rationale statement in the above rejection, and the rejection under 35 U.S.C. 103 should be sustained.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(A). US Patent no. 5,657,376, issued to Espeut et al on 08/12/1997. The subject matter disclosed therein is pertinent to that of claims 1-26 (e.g. voice message systems).

(B). US Patent no. 5,913,032, issued to Schwartz et al on 6/15/1999. The subject matter therein is pertinent to that of claims 1-26 (e.g. accessing shared information).

(C). US Patent no 6,564,321, issued to Bobo, II on 5/13/2003. The subject matter therein is pertinent to that of claims 1-26 (e.g. message storage and deliver system).

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2162

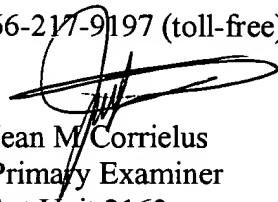
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032.

The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus
Primary Examiner
Art Unit 2162

January 21, 2006